

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
JOSHUA PAUL BOYD,
Defendant.

CASE NO. CR08-025-TSZ

PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on August 17, 2010. The United States was represented by Sunni Ko, and defendant was represented by Jay Stansell. The proceedings were recorded on cassette tape.

CONVICTION AND SENTENCE

Defendant had been convicted on or about November 13, 2008 on a charge of pharmacy robbery. The Hon. Thomas S. Zilly of this court sentenced defendant to time served (4 days) in custody, followed by three years of supervised release.

ALLEGED VIOLATIONS AND DEFENDANT'S ADMISSIONS

In an application dated August 10, 2010, Senior USPO Richard B. Cowan alleged that defendant violated the conditions of supervised release in six respects:

- (1) Using oxycodone without a prescription on or before July 16, 2010;
- (2) Leaving the Western District of Texas without permission on or about July 21, 2010;
- (3) Using crack cocaine, powder cocaine, methamphetamine, and oxycodone without a prescription on or before July 28, 2010;
- (4) Failing to abstain from the use of alcohol on or before July 28, 2010;
- (5) Failing to notify the USPO within ten days prior to a change in residence; and
- (6) Failing to follow the instructions of the USPO by not reporting to the probation office on August 9, 2010.

I advised defendant as to these charges and as to his constitutional rights. Defendant admitted each of the six alleged violations, waived any hearing as to whether they occurred, and consented to having the matter set for a disposition hearing.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that defendant has violated the conditions of his supervised release in the six respects alleged, and conduct a disposition hearing. That hearing has been scheduled for September 16, 2010 at 1:30 p.m. before Judge Zilly. Defendant has been detained pending a final determination by the court.

DATED this 17th day of August, 2010.

s/ John L. Weinberg
United States Magistrate Judge

1 cc: Sentencing Judge : Hon. Thomas S. Zilly
2 Assistant U.S. Attorney : Sunni Ko
3 Defense Attorney : Jay Stansell
4 Sr. U. S. Probation Officer : Richard B. Cowan
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26 PROPOSED FINDINGS - 3